

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY MICHAEL BUTLER,
Plaintiff,

v.

CHRISTOPHER SWANSON et
al.,
Defendants.

Case No. 21-10936
Honorable Shalina D. Kumar
Magistrate Judge David R. Grand

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 23),
DISMISSING COMPLAINT (ECF NO. 1), AND DENYING AS MOOT
DEFENDANTS' MOTION TO DISMISS (ECF NO. 13) AND PLAINTIFF'S
MOTION TO AMEND (ECF NO. 11)**

Pro se plaintiff Anthony Michael Butler brought this civil rights action under 42 U.S.C. § 1983 against employees B. Brock and DePalma of the Genesee County Sheriff's Department alleging violations of his First and Eighth Amendment rights during his incarceration at the Genesee County Jail. ECF No. 1. The case was referred to the magistrate judge for all pretrial matters pursuant to 28 U.S.C. § 636(b). ECF Nos. 16, 19.

On April 29, 2022, the assigned magistrate judge issued a Report and Recommendation ("R&R"). ECF No. 23. The R&R recommends that the Court dismiss Butler's complaint for failure to prosecute and deny

Defendants' motion to dismiss (ECF No. 13) and Plaintiff's motion to amend (ECF No. 11) as moot. ECF No. 23. Neither party has filed an objection to the R&R.

The Court having reviewed the record, the R&R is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that Defendants' Motion to Dismiss (ECF No. 13) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend (ECF No. 11) is **DENIED**.

IT IS FURTHER ORDERED that this case is **DISMISSED**.

Dated: May 25, 2022

s/Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge